

EXHIBIT E

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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IN RE NEW YORK POLICING DURING:Docket#20-cv-08924

SUMMER 2020 DEMONSTRATIONS :

: New York, New York

: January 27, 2023

-----: CONFERENCE

PROCEEDINGS BEFORE

THE HONORABLE GABRIEL W. GORENSTEIN

UNITED STATES MAGISTRATE JUDGE

APPEARANCES:

For People of
The State of NY

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1 you'll say, we're dropping our objection to
2 whatever. And maybe the plaintiffs will drop their
3 interest in deposing someone. But we have got to
4 get the process going.

5 MS. ROBINSON: Understood.

6 THE COURT: So let's say February 3rd for
7 the defendants' letter listing exactly who they're
8 objecting to and why.

9 MS. ROBINSON: Would it be possible, Your
10 Honor, to move that out to the following Wednesday?

11 THE COURT: The 8th?

12 MS. ROBINSON: Yes.

13 THE COURT: I could live with the 8th.
14 Ms. Salama, when do you want to respond?

15 MS. SALAMA: One week later --

16 THE COURT: Okay.

17 MS. SALAMA: -- is fine for us. We want
18 to get this done.

19 THE COURT: And I normally don't allow
20 replies, but if you want to do a reply, Friday the
21 17th would be fine. And I will put on the calendar
22 just so I -- it will be a way to...

23 Ms. Robinson, any idea -- we have a
24 ballpark of 70 deponents. Any ballpark of how many
25 objections there are going to be?

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1 MS. ROBINSON: I really don't, Your Honor.
2 I apologize. I don't want to say 20. I don't
3 want --

4 THE COURT: Okay. That's fine. If you
5 don't --

6 MS. ROBINSON: Yeah.

7 THE COURT: -- you know...

8 You know what, I'm going to wait until I
9 see the letters to decide what to do. Maybe I can
10 do this on the letters, and I can always schedule
11 the conference very quickly. So that's our
12 schedule on the 30(b)(1)s.

13 Now, I would like to have the same
14 schedule for 30(b)(6). Maybe there's overlapping
15 issues on these. I don't know.

16 What -- are there 30(b)(6) objections, Ms.
17 Robinson?

18 MS. ROBINSON: Well, yes, there are
19 30(b)(6) objections; however, plaintiffs brought up
20 in the meet-and-confer yesterday that they asked
21 whether the 30(b)(6) witnesses, before they're
22 ruled on, whether the 30(b)(6) witnesses could go
23 as fact witnesses first, which defendants agreed
24 to. And there are 30(b)(6) witnesses that we are
25 objecting to; yes, indeed.

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1 letter, and then the defendants will -- you know,
2 consult with the defendants, and they'll give me
3 their position, and then I'll decide what to do. I
4 don't think I want to order it right this second.

5 Ms. Salama, do you understand on this?

6 MS. SALAMA: Yes, Your Honor. If I may,
7 just a clarification. It's unclear to us that
8 there is any objection remaining for 30(b)(6) at
9 all.

10 Yesterday defendants asserted that they do
11 not want to schedule those in anticipation of
12 settlement. So it seems that we may not need to
13 confer on the 30(b)(6) issue if that is their only
14 objection, in which case the February 8th deadline
15 should be fine.

16 THE COURT: Oh. The -- are there
17 objections other than the potential for settlement
18 on the 30(b)(6)s?

19 MS. ROBINSON: I would need to -- I think
20 I would need to confer internally on that before I
21 am able to take a position.

22 THE COURT: Okay.

23 MS. ROBINSON: I mean, if settlement is
24 something that the Court is not -- potential
25 settlement is something that the Court is not going

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1 to consider, that may or may -- you know, may not
2 change our position on objections. So I just need
3 to confer internally with the case team.

4 THE COURT: Okay. Well, if you have a --
5 if you have objections to 30(b)(6) topics, I'm
6 going to give you the same deadline then, February
7 8th, to present them to me. Same schedule.

8 MS. ROBINSON: Understood.

9 THE COURT: And if you have objections,
10 you certainly should be conferring first. But
11 otherwise present it to me on February 8th or they
12 are waived. No more complaining about the 30(b)(6)
13 topics.

14 MS. ROBINSON: Understood, Your Honor.

15 I think there's going to be an issue with
16 us being able to meet and confer in time for the
17 8th deadline.

18 THE COURT: Well, then you can take a pass
19 if that is -- if that comes to trying to get a
20 brief extension of that and talk to the other side
21 first, but right now, that's the deadline.

22 MS. SALAMA: And I'll just note that
23 should not be a problem on the plaintiffs' end.

24 THE COURT: Okay.

25 I'm trying to think what other -- the -- I

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C E R T I F I C A T E

I, Adrienne M. Mignano, certify that the foregoing transcript of proceedings in the case of In re New York Policing During Summer 2020 Demonstrations, Docket #20-CV-08924 was prepared using digital transcription software and is a true and accurate record of the proceedings.

Signature Adrienne M. Mignano
ADRIENNE M. MIGNANO, RPR

Date: February 3, 2023